

OTAY MOUNTAIN WILDERNESS ACT OF 1999

MARCH 17, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 15]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 15) to designate a portion of the Otay Mountain region of California as wilderness, having considered the same, report favorably thereon without amendments and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 15 is to designate a portion of the Otay Mountain region of California as wilderness.

BACKGROUND AND NEED FOR LEGISLATION

The Otay Mountains, near the U.S.-Mexico border, are a unique region with diverse natural values. The area has good opportunities for solitude and primitive recreation and is particularly important to the people of San Diego City and County. The area contains several sensitive species, including the only known population of the Mexican flannel bush, and the only known stand of Tecate Cypress.

In the 1980s the Bureau of Land Management recommended a large portion of these mountains be designated as wilderness, and this recommendation has received strong public support. All parties seem to agree that the area needs protection.

The Otay Mountain Wilderness Act of 1999 would designate about 18,500 acres of the Otay Mountain region as wilderness to protect its sensitive resources and preserve it for future generations.

During negotiations and hearings on H.R. 15 several sources expressed concern that wilderness designation in the Otay Mountain region could adversely affect Border Patrol and drug interdiction activities. The Border Patrol assured the Committee that because the roads in the area excluded from the wilderness area, and given the language in section 6(b) of the bill, border operations would not be adversely affected by wilderness designation. Given these assurances, the Committee decided not to amend section 6(b). It should be emphasized, however, that should problems arise, the Committee will not hesitate to push for amendments to this legislation to ensure effective law enforcement.

COMMITTEE ACTION

H.R. 15 was introduced on January 6, 1999, by Congressman Brian Bilbray (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On February 4, 1999, the Subcommittee held a hearing on the bill, where the Administration testified in support of H.R. 15. On February 25, 1999, the Subcommittee met to mark up the bill. No amendments were offered. The bill was then ordered favorably reported to the Full Committee by voice vote. On March 3, 1999, the Full Resources Committee met to consider the bill. No amendments were offered. The bill was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and rec-

ommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 12, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 15, the Otay Mountain Wilderness Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria Heid Hall.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 15—Otay Mountain Wilderness Act of 1999

CBO estimates that implementing H.R. 15 would not have a significant impact on the federal budget. Because H.R. 15 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 15 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

H.R. 15 would designate as wilderness about 18,500 acres of public land in the California Desert District of the Bureau of Land Management (BLM). According to BLM, because the agency already manages the land as a wilderness study area, designating it as wilderness would not result in any significant increase in administrative costs. In addition, based on information from BLM, we estimate that this wilderness designation is unlikely to have any effect on offsetting receipts.

The CBO staff contact is Victoria Heid Hall. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.